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17 UNITED STATES OF AMERICA

18 UNITED STATES DISTRICT COURT

19 FOR THE CENTRAL DISTRICT OF CALIFORNIA

20 UNITED STATES OF AMERICA,

21 No. 2:25-MJ-3504-DUTY

22 Plaintiff,

23 [PROPOSED] ORDER FINDING
EXCLUDABLE TIME AND CONTINUING
FILING DATE FOR INFORMATION OR
INDICTMENT PURSUANT TO SPEEDY
TRIAL ACT

24 v.

25 DAVID JOSE HUERTA,

26 Defendant.

27 [No hearing set]

28 The Court has read and considered the third stipulation For
Excludable Time For Filing Of Information Or Indictment Pursuant To
Speedy Trial Act (the "Stipulation"), signed by the parties' counsel
and defendant on September 12, 2025, and filed in this matter on
September 15, 2025.

29 The Court hereby finds that the Stipulation, which this Court
30 incorporates by reference into this Order, demonstrates facts that
31 support a continuance of the deadline to file an indictment or
32 information and provides good cause for a finding of excludable time
33 pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*

1 The Court further finds that: (i) the ends of justice served by
2 the continuance outweigh the best interest of the public and
3 defendant in the return of an indictment or filing of an information
4 within the original thirty-day period; (ii) failure to grant the
5 continuance would be likely to make a continuation of the proceeding
6 impossible, or result in a miscarriage of justice; and (iii) failure
7 to grant the continuance would unreasonably deny defendant adequate
8 representation and would deny defense counsel the reasonable time
9 necessary for effective preparation, taking into account the exercise
10 of due diligence.

11 THEREFORE, FOR GOOD CAUSE SHOWN:

12 1. The date that any indictment or information in this matter
13 must be filed pursuant to 18 U.S.C. § 3161(b) is continued from
14 September 19, 2025 to October 17, 2025.

15 2. The time period of September 19, 2025 to October 17, 2025,
16 inclusive, is excluded in computing the time within which an
17 information or indictment must be filed, pursuant to 18 U.S.C.
18 § 3161(h) (7) (A), (h) (7) (B) (i), (B) (iii), and (B) (iv).

19 3. As represented in the Stipulation as a condition of the
20 Stipulation, it is further ordered that the government shall produce
21 additional discovery, including witness statements, by September 19,
22 2025.

23 4. Nothing in this Order shall preclude a finding that other
24 provisions of the Speedy Trial Act dictate that additional time
25 periods are excluded from the period within which trial must
26 commence. Moreover, the same provisions and/or other provisions of
27 the Speedy Trial Act may in the future authorize the exclusion of
28

1 additional time periods from the period within which trial must
2 commence.

3 IT IS SO ORDERED.

4
5 September 15, 2025

6 DATE



HONORABLE PEDRO V. CASTILLO
UNITED STATES MAGISTRATE JUDGE

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9 Presented by:

10 /s/
11 Mark Aveis
12 Assistant United States Attorney

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